

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF ANDERSON)	C.A. No.:
)	
Thomas Brock and Dana Brock,)	
)	
Plaintiff,)	SUMMONS
)	(Jury Trial Demanded)
v.)	
)	
Foxfarm Soils & Fertilizers Co.,)	
)	
)	
Defendant(s).)	
_____)	

TO THE DEFENDANT(S) ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Plaintiff upon the subscriber, at his office at 1007 East Washington Street, Greenville, South Carolina, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

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s/Joshua D. Christian

Joshua D. Christian
Attorney for Plaintiff
S.C. Bar No.: 73820

Greenville, South Carolina
Date: January 20, 2022

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF ANDERSON)	C.A. No.: _____
)	
Thomas Brock and Dana Brock,)	
)	
Plaintiffs,)	COMPLAINT
)	(Jury Trial Demanded)
v.)	
)	
Foxfarm Soils & Fertilizers Co.,)	
)	
Defendant(s).)	
_____)	

That the Plaintiffs above named, complaining of the Defendant herein would show this Honorable Court the following:

I.

That Plaintiffs Thomas Brock and Dana Brock are citizens and residents of Anderson County, South Carolina.

II.

That at all times relevant herein, Thomas Brock and Dana Brock are and were husband and wife and that Thomas Brock worked as a volunteer firefighter with the Anderson County Fire Department.

III.

That, upon information and belief, Defendant Foxfarm Soils & Fertilizers Co. (herein after “Foxfarm”) is a business organized and existing in the State of South Carolina and transacts business in Anderson County.

IV.

That on November 6, 2019, while working for the Anderson County Fire Department, Mr. Brock was responding to a call to Foxfarm Soils & Fertilizers Co. While walking the perimeter of Foxfarm's building to gain entry, Mr. Brock fell approximately four to six feet from the loading dock due to the lack of handrails on the loading dock.

VI.

That, as a direct and proximate result of the fall, Plaintiff Thomas Brock has suffered and will in the future continue to suffer injuries and damages as follows:

- a. Injuries about his body;
- b. Injuries to his knee and leg;
- c. Has had to undergo medical treatment and procedures which he would not have otherwise have had to endure;
- d. Medical expenses;
- e. Lost wages, loss of income, and loss of earning capacity;
- f. Permanent impairment and disfigurement;
- g. Loss of strength, mobility, and range of motion;
- h. Pain, anxiety, suffering, and humiliation;
- i. Loss of enjoyment of life; and
- j. In such other and further ways as discovery and trial shall prove.

FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANT
(Negligence)

VII.

The Plaintiff restates and re-alleges each and every paragraph alleged herein as if repeated verbatim.

VIII.

That Defendant Foxfarm was negligent, careless, grossly negligent, reckless, willful, and wanton in the following particulars:

- a. In failing to maintain a safe work environment;
- b. In creating a fall hazard;
- c. In failing to keep the area safe and free from falling hazards;
- d. In failing to warn of the hazard;
- e. In failing to properly follow OSHA and construction guidelines for loading docks;
- f. In failing to have proper handrails up in accordance with State and local regulations, statutes and codes; and
- g. In such other and further ways as discovery and trial shall prove.

IX.

That, as a direct and proximate result of Defendant Foxfarm's acts and/or omissions, Plaintiff Thomas Brock has suffered injuries and damages as set forth above.

FOR A SECOND CAUSE OF ACTION AGAINST ALL DEFENDANT
(Loss of Consortium)

X.

Plaintiffs restate and re-allege each and every paragraph alleged herein as if repeated verbatim.

XI.

That as a direct and proximate result of Thomas Brock's injuries and the Defendants' acts and/or omissions as stated herein, Plaintiff Dana Brock has and will in the

future continue to suffer for the loss of Thomas Brock's aid, comfort, society, services, love, affection, and consortium.

WHEREFORE, the Plaintiffs pray for judgment against the Defendant as to all causes of action for the following:

- a. For actual damages to be determined by the trier of fact;
- b. For punitive damages in a reasonable sum to be determined by the trier of fact;
- c. For the costs and disbursements of this action; and
- d. For such other and further relief as this Court deems just and proper.

The Plaintiffs request a jury trial.

Respectfully submitted,

CHRISTIAN & DAVIS,

s/Joshua D. Christian

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Greenville, South Carolina
Dated: January 20, 2022